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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/613,211	07/07/2003	Tsutomu Yamada	500.42830X00	4583

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ART UNIT	PAPER NUMBER
2193	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/21/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

	Application No.	Applicant(s)
Office Action Summary	10/613,211	YAMADA ET AL.
	Examiner	Art Unit	
	John Chavis	2193	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>21 December 2006</u>.

2a)☒ This action is **FINAL**.　　　　2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-21</u> is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-21</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>07 July 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☒ All　　b)☐ Some * c)☐ None of:

　　　　1.☒ Certified copies of the priority documents have been received.

　　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
　　　Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
　　　Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Bala

(2002/0184618). The previous action is hereby repeated with responses to the

applicant's arguments written in **bold** lettering.

What is claimed is:	Bala
1. A data format conversion method Comprising **inputting information Including a convert direction**...	See the title and the abstract. **The applicant claims that this feature does not exist in Bala's System; however, information stored on server also has to be input to that location to provide general information as well as updates. Bala further indicates that the code transformation manager (convert direction) is coupled to the application source (sect. 0037) and it is understood in the art that source code has to be input or generated from information that is input into the system. Bala does not specify that his source code (information) is generated; therefore, it is considered inherently that it is input into the system with convert direction information (transformation manager,**

	which converts from one format to another) to enable updating, <u>installations</u> and maintainence, see sects. 0006 and 0011.
converting **the** program of **the** first data format to **the** program of a second data format **based on** a conversion rule designated by **the** convert direction of a data format contained in **the** information **wherein the information further includes** program of the first data format.	**See the transformation manager above. In sect. 0037 it is clear that transformations (converting to a second format) are based on rules or formats specified by the client. The transformations are further based on conversion rules designated by the transformation Manager (convert direction).**

The applicant further indicates that Bala does not teach or suggest a format conversion method, format equipment, etc.; however, see Bala's claims 1, 22 and 24 and figs 3 and 2a-2c.

2. A data format conversion method as defined in claim 1, wherein said convert direction designates one of a plurality of conversion rules for executing conversion to a plurality of different second data formats in such a fashion as to correspond to at least one first data format.	See section 0049 which checks (using a conversion rule) to see if code is current.
3. A data format conversion method as defined in claim 1, wherein said conversion rule is acquired through a communication network.	See sects. 0035-0037. **In reference to receiving via a network, see item 20 of fig. 3.**

As per claims 4-6, see the rejection of claims 1-3.

See the rejection of claims 1-3 above in reference to claims 7-8.

In reference to claims 9-11 and 13-16, see the rejection of claims 1-3. **In**

reference to different formats, see again fig. 3 and for the virtual machine, see

items 62, 78 and 82 of fig. 3.

The features of claim 12 are taught via section 0013 in view of section 0037.

See again the rejections of claims 1-3 and fig. 3 in regards to claims 17-21

Other references, although not specifically cited, are considered pertinent to the

applicant's disclosure. **For example, the newly cited references (6,820,266;**

6,219,831 and 2005/0080755) specifically cite input conversion means and

extraction means, which as indicated above, are considered inherent in Bala's

system to enable installing, updating, etc. and as specified in fig. 3.

Conclusion

3.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

4.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Chavis whose telephone number is (571) 272-3720. The examiner can normally be reached on M-F, 8:00am-4:30pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JC

John Chavis
Primary Examiner AU-2193